

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR SPECIAL COUNCIL MEETING  
OF  
WEDNESDAY, MARCH 7, 1990  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL  
To Council Members Wolfsheimer, Roberts, Hartley, Pratt,  
Bernhardt, Henderson, McCarty, and Filner, members of the City  
Council of the City of San Diego, California:  
A SPECIAL MEETING of the City Council is hereby called to be held  
in the Council Chambers, 12th floor City Administration Building,  
202 C St., San San Diego, California, on Wednesday, March 7, 1990  
at the hour of 2:00 p.m.  
Said meeting will be held for the purpose of considering actions  
relative to the Special Municipal Election of June 5, 1990 and  
discussing other ballot measures and issues relating to budget  
review.

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:14 p.m.  
Mayor O'Connor adjourned the meeting at 4:42 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present

- (8) Council Member Filner-present  
Clerk-Abdelnour; Fishkin (tm)

FILE LOCATION: MINUTES

Mar-7-1990

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Pratt-not present  
(5) Council Member Bernhardt-not present  
(6) Council Member Henderson-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-present

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ITEM-601:

(Continued from the meeting of February 27, 1990, Item S404, Subitems A, C, D and E, at the Council's request, to discuss with the budget.)

Four actions relative to the Special Municipal Election of June 5, 1990:

Subitem-A: (O-90-149 Rev.1) INTRODUCED AND ADOPTED AS  
ORDINANCE O-17438 (New Series)

Introduction and adoption of an Ordinance of the City of San Diego, California, ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City on June 5, 1990, for the purpose of submitting to the qualified voters of the City of San Diego one proposition amending the Charter of the City of San Diego by amending Charter Sections 4 and 12, one

proposition amending the Charter of the City of San Diego by amending Charter Section 5, one proposition adopting an Ordinance changing the appropriations limit for Fiscal Years 1992 through 1995, one proposition amending People's Ordinance No. 7691 and amending Chapter VI, Article 6, Division 1 of the San Diego Municipal Code by amending Section 66.0123 relating to the Collection and Disposal of City Refuse, one proposition relating to an Advisory Vote on Levying a Utility Users' Tax on Commercial and Industrial Users, and consolidating the Special Municipal Election with the State Primary Election to be held in the City on June 5, 1990.

Subitem-B: (O-90-152) INTRODUCED AND ADOPTED AS  
ORDINANCE O-17439 (New Series)

Introduction and adoption of an Ordinance of the City of San Diego, California, ordering, calling, providing for and giving notice of a Special Municipal Bond Election to be held in the City of San Diego on June 5, 1990 for the purpose of submitting to the qualified voters of the City of San Diego a proposition to incur general obligation bonded indebtedness by the City for Police and Fire Communications and Dispatch Facilities and consolidating the Special Municipal Bond Election with the Statewide Primary Election to be held on the same date.

Subitem-C: (O-90-150) FILED

Introduction and adoption of an Ordinance amending Chapter III of the San Diego Municipal Code by adding Article 6, Division 1, and Section 36.0101 providing for the levy and collection of a special tax for Police Protection Services subject to the approval of two-thirds of the voters voting upon the proposition within the City of San Diego; calling and providing for the holding of a Special Municipal Election within the City on June 5, 1990, for the purpose of submitting the proposition to the voters of the City; ordering such election to be consolidated with the Statewide Primary Election to be held on such date; and making certain

other findings and determinations in connection therewith.

Subitem-D: (R-90-1374 Rev.1) ADOPTED AS RESOLUTION R-275226

Adoption of a Resolution of the Council of the City of San Diego requesting the consolidation of a Special Municipal Election to be held in the City of San Diego on June 5, 1990, with the Statewide Primary Election to be held on the same date.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A001-D384.)

Motion by Henderson to place only the Gann waiver on the June ballot, placing no other fiscal issues on the ballot, and direct the City Manager to come back with a \$432 Million budget based on revenue. Second by McCarty. No vote.

Motion by Wolfsheimer to place the charter amendment on the ballot which would use Water Utilities funds. Second by Hartley. No vote.

Motion by Henderson to place the Gann waiver on the June ballot, placing no other fiscal issues on the ballot. Second by McCarty. No vote.

MOTION BY HENDERSON TO PLACE THE GANN WAIVER ON THE JUNE BALLOT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY FILNER TO APPROVE ITEM-601B, WHICH WOULD PLACE THE POLICE COMMUNICATIONS SYSTEM ISSUE ON THE JUNE BALLOT.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-nay, Hartley-nay, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to place a charter amendment on the June ballot which would use Water Utilities funds, possibly retroactively, and which would authorize the use of Water Utilities land for exchange for private land. Second by Hartley. Failed. Yeas: 1,3,4,8. Nays: 2,5,6,7,M.

MOTION BY BERNHARDT TO RETURN THE AFOREMENTIONED CHARTER AMENDMENT TO THE CITY MANAGER FOR FURTHER STUDY AND TO RETURN AT A WORKSHOP. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by McCarty to adopt Item-601D. No second.

Motion by Henderson to direct the City Manager to come back as soon as possible with a \$432 Million Budget for discussion overriding the motion of February 8, 1990 which approved a \$492,550,000 budget. Second by Bernhardt. Mayor O'Connor ruled that this motion was out of order.

MOTION BY HENDERSON TO DIRECT THE CITY MANAGER TO COME BACK AS SOON AS POSSIBLE WITH A \$432 MILLION BUDGET FOR DISCUSSION OVERRIDING THE MOTION OF FEBRUARY 8, 1990 WHICH APPROVED A \$492,550,000 BUDGET. Second by Bernhardt. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

Motion by Roberts to direct the City Manager to come back with a \$492 Million budget which would be a \$60 Million increase. Second by Pratt. Failed. Yeas: 2,4,8.

Nays: 3,5,6,7,M. Not present: 1.

Motion by McCarty to approve the consent decree. Second by Pratt. Motion amended.

Motion by Filner to amend the aforementioned motion to direct the City Attorney to meet with the judge and the defendant to see if they will agree to change the effective date to 1991.

Second by Hartley. Failed. Yeas: 1,3,8. Nays: 2,4,5,6,7,M.

MOTION BY ROBERTS TO APPROVE THE CONSENT DECREE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY ROBERTS TO APPROVE ITEM 601D. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

#### ITEM-602: DISCUSSION HELD

Discussion in the matter of other ballot measures regarding the budget, and issues relating to budget review.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A001-D384.)

By common consent, Council approved a Mayoral appointed Budget Review Committee which will consist of Council Members Roberts, Pratt, Henderson and Filner.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:42 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D384).